

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

978 WRIT PETITION NO. 1427 OF 2022

ROHINI GORAKH SAVANT
 VERSUS
 THE STATE OF MAHARASHTRA AND ANOTHER

...
 Advocate for Petitioner : Mr. Ravindra B. Ade
 AGP for Respondents: Mr. A.R. Kale

...
CORAM : S. V. GANGAPURWALA AND
S. G. DIGE, JJ.

DATE : 2nd FEBRUARY, 2022

PER COURT :-

1. The petitioner seeks termination of pregnancy.
2. The petitioner was referred to the Expert Committee of respondent No. 2-Government Medical College and Hospital, Aurangabad. The Expert Committee examined the petitioner and submitted its report. The relevant part of the said report reads thus:-

Sr. No.	Report	Opinion on the findings
1.	USG anomaly scan 1/02/22-SLIUG with Associated with fetal average gestational age of 26.1 weeks anomaly with multicystic dysplasia left kidney with Rhizomelic Femur/Skeletal dysplasia	

Additional Investigations (if done) :-

Sr. No.	Investigations done	Key findings
1.	Usg obstetrics anomaly scan	USG anomaly scan 1/02/22-SLIUG with average gestational age of 26.1 weeks with multicystic dysplasia left kidney with Rhizomelic Femur/Skeletal dysplasia.
2.	CBC, Urine routine	HB-10.9 gm, PVC 30%, TLC 8000, PLATELET 2.14 Lac/mm ³ , Urine routine normal

Opinion by Medical Board for termination of pregnancy:

- a) Allowed
- b) Denied

Justification for the decision : Associated with such a fetal anomaly that if the child were born, it would suffer from such physical or mental abnormalities to be seriously handicapped.

Physical fitness of the woman for the termination of pregnancy :
t,MTP may be done with due risk. With the present advanced gestational age, there is high possibility of a surgical intervention, blood transfusion, and other unforeseen risk. The Hon. High Court is humbly requested to take the undertaking of the said risk from the patient and her husband.

3. The Expert Committee has recommended the termination of pregnancy. The Expert Committee has also opined that, “*with the present advanced gestational age, there is high possibility of a surgical intervention, blood transfusion and other unforeseen risk.*” The risk involved is explained to the petitioner and her husband.

4. The learned counsel for the petitioner submits that the petitioner and her husband are informed about the risk and other unforeseen risk. The learned counsel submits that, the petitioner wants to proceed with the termination the pregnancy.

5. In the light of the above, the petitioner is permitted to terminate the pregnancy at the Government recognized center.

6. The writ petition is disposed of. No costs.

(S.G. DIGE)
JUDGE

(S.V. GANGAPURWALA)
JUDGE